

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

Taboh Penn-Mopecha

Petitioners/Plaintiffs,

Case No. _____

v.

Stephen Mckunes, Anthony H. Stemn , Boston Police Department, The City of Boston

Respondents/Defendants.

COMPLAINT FOR PUNITIVE AND INJUNCTIVE, EXEMPLARY RELIEF

INTRODUCTION

On 03/17/2018 i entered the cvs located on chauncey street. As i entered the first set of door they did not automatically open believing they may be in need of service. As enter i stood at the interior door waiting to see if anyone else was present in the store. As i did a police officer arrived and immediately began searching my person. The officer removed and id from my pocket not before sexually harassing me in front of several officer. I was placed under arrest and during the transport ask to be booked by another officer as i did not feel safe with the arresting officer. He would take offence and begun increasingly sexually harassing me while other officers laughed and jeered. When i moved to away from the officer wringing in pain, the officer uncuffed me and asked for me to remove the string from my shoes as i did he lunged at me and begun striking me in the head as many ten to twenty times. While two other officer held my hands, i had to run to the cell as it was under surveillance. Which is when the officers stop closed the door and begun name calling myself. I was stripped of my clothing including shoes for hours, denied a blanket or my jacket as well as all medical attention. When my clothing was finally returned a 24 for hours and i was finally fingerprinted, i found myself with two additional charges of assault on a officer as well as fraudulent drug charges. I would be incarcerated for three days in the most deplorable condition before finally released on my own recognized.

JURISDICTION AND VENUE

1. Jurisdiction is proper
2. Venue is proper

PARTIES

3. Taboh Mopecha is an adult male citizen of Cameroon currently residing in Mesa, Arizona
4. Boston Police Department is a government entity of United States of America currently incorporated in Boston, Ma

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6. The City Of Boston is a government entity of United States of America currently incorporated in Boston, Ma

7. Stephen Mckunes is an adult female citizen of United States Of America currently residing in boston, Massachusett

8. Anthony H. Stemn is an adult female citizen of United States Of America currently residing in boston, Massachusett

STATEMENT OF FACTS

Detention

7. On March 17, 2018 i unknowingly entered a Cvs on chauncey street that was closed. As i stood in the doorway i had not entered the store but was waiting to see if employees were present. Officer stephen mckunes arrived.

8. Without a word officer Mckunes corner me and began rifling through my pockets. Without so much as a word looking for drugs. When he reached my back pocket the officer grabbed my rear and squeezed. At this moment several officer arrived and this when i was told i was accused of breaking and entering.

9. The officer would find an id in my front pocket and moved to her car to run my name for warrants. As i stood with the Anthony H. Stemn i was asked if i entered the store i did not and if i had taken any items as the call had stated i was in the store taking items.

10. At this point John Doe 1 mentioned i should be in handcuffs by now and unable to find any warrants officer Mckunes return and did exactly that. The patted my down once more searching my shoes for what he hoped would be a weapon or drugs.

11. As i enter his cruiser i was seated behind officer mckunes with Anthony H. Stemn in the front passenger seat. I was asked if i had any money to which i replied none and when i mention i was homeless officer mckunes claimed it must be for a reason. I noticed the officers whispering to each other.

Arrival at booking

12. As we arrived to the station as i asked to be booked by Anthony H. Stemn as i did not feel comfortable with officer mckunes. He did not heed me and exited the car first i moved to closer to Anthony H. Stemn so as to be and inconvenience to officer mckunes but he insisted on booking me himself.

13. It was at this point i told officer Mckunes to stop touching me. As we enter the A-1 station with my hands still cuffed. Officer Mckunes told me welcome to boston where your gonna be search at least three times before you get a cell. He then begun patting me down and then drop on one knee and reached for my private parts and be squeezing and turning as hard as he could.

14. All the while i was facing Anthony H. Stemn who was holding back laughter, and his eyes

watering. He look at me and said 'your gonna do it our way not your way.' I told 'your black you suppose to be helping me' to which he replied " it doesn't matter the color." At this point point officer Mckunes produced a box cutter and begun cutting the string on my jacket.

15. Officer Mckunes would then after removing all jacket tell me that when i am uncuffed i was to remove the laces of shoes and comply with all his orders repeating himself several times. When he did i kick my shoes and motioned to stoop and remove my laces. Without warning officer Mckunes grab my arm when i pulled it away and told the officer to stop grabbing me. I noticed the Officer Mckunes starring me down.

16. Officer Mckunes raised one hand high and the other choking me by the neck. He began striking me with his palm on the left side of my head. As he did Anthony H. Stemn grabbed a hold of my left hand and started yelled at the top of his voice " you just hit an officer." all the while Officer Mckunes has backed me against a wall and is continually striking me with his right palm on the left side of my head.

17. As i stood there for what seem like an eternity another officer john doe 1 appeared and held my right hand so Officer Mckunes could make use of both hands. With both officer on my back and dressed in just my socks i dragged them closer to cell number 6 and entered. And only then did the attack stop as the area was under surveillance

18. As i entered they shut the door behind me and begun name calling and shouting racial slurs at me. As i layed there Officer Mckunes would repeatedly walk by and harass me while i slept he would try to wake me up.

Incarceration at A-1 Station

19. As the time i begun to feel the effect of the attack i was dizzy, unable to sleep as there was a 24 hour light in the cell. The pain felt combined with the freezing condition forced me to ask any passing by officer for at first a blanket. As i layed on metal bunk with only a tee shirt and not shoes. To which they replied we don't have any blanket and this is jail it's not supposed to be comfortable.

20. As i layed there i begun to seek medical attention to the jeers of passing officers. Who asked for what and why and nothing is wrong with you. At some point i was told i would be receiving medical aide. I was awoken to three officer one with a setscope who asked what is wrong. I retold him what was ailing me and he asked if i was dying and then my wrist touched it with his two finger and shut my cell and that was the medical aide i recieved.

21. At 6.30 03/17/2018 i was given a meal of two meat sandwiches and milk by and John doe 2. I asked for my jackets and he returned with them at which point he asked that cooperate and be fingerprinted by him. I agreed and as we did i was faced once again by officer Anthony H. Stemn who was gitty at the sight of myself again.

22. As i was fingerprinted and photographed this would be the first time i had came in contact

with officer Stern since the encounter. He would jeer and insult me throughout the ordeal as i was photograph. Though John doe 2 was kind and treated me with respect when it came time to sign for my items that had been previously removed. I was hand a sheet that included the criminal charges i face.

23. I no longer was just facing the original charge of breaking and entering. But two additional charges of assaulting and injuring a police officer. Included was an unknown possession of dangerous drugs by which i was bewildered. As i took a look at the charges Officer stern could not help but beam with joy.

24. As i was returned to my cell officer stern followed me back and harassing me the entire time. Until he finally tired and ended the conversation with "get some sleep."

25. As the night grew i would find myself under constant watch by the officers. Who would walk by what seem almost every five minutes, As i made use of the restroom the would strike up conversations with me. And as i been increasingly weary of the camera directly position downward facing the toilet. I made a makeshift cover for it but this would draw the erie of the officer would within a minute come and ask me to take it down.

26. Though i would inform them that i was using the bathroom and would remove it as soon as i was finished they refused. Threaten to handcuff me in my cell for the reminder of my stay. I would not relent and i was finally moved to another cell that was in full view of the officers at all times.

27. After much discussion on 03/17/2018 at 9.00 i was finally taken down to the hospital. Where i was as diagnosed with a concussion and given medication. But upon my return i was jeered by the local staff as i had received nothing more than a tylenol for my injuries.

28. 03/182018 as i layed in my cell i witness the staff helping other inmates bail out for less than the amount owed. Some were released on the promise that they return to the jail after visiting the atm. But as for myself i had been branded i was never informed of the amount of bail i owed. In Fact the bail commissioner refused to speak to me and when john doe 2 spoke to him on my behalf i overheard him yell " he doesn't have forty dollars." if it was a question or a statement i did not know but when john doe 2 return i was overwhelmed with anger to be awoken by inmates who moment before had been screaming and yelling at these same officer but now we're being aided with bail. And i who all i had asked was to be treated with dignity was assaulted and given false charges.

29. John doe 2 kindly told me he does not want to speak to you. And i understood he meant the man who had assaulted and officer was not going to get any help from the staff though i was innocent.

30. As the night continued my meals became irregular not that i too much cared for the meals of meat, bread and milk. Items i don't consume regularly and as i was unable to use the bathroom

due to the surveillance the was not much to do but lay on the metal bunk. Dressed in all my jackets for the little warmth it provided.

31. 03/19/2018 i was finally transported to the courthouse across the street to for my arraignment. I was relieved to finally be somewhere that was truely air condition but also on my way home.


PRAYER FOR RELIEF

WHEREFORE, Petitioners/Plaintiffs pray that this Court grant the following relief:

- (1) Issue an Order barring defendants from further spreading any slander or pursuing any criminal charges against the plaintiff further or face Injunctive relief
- (2) Issue an Order for punitive relief in the amount of 300,000,000 for the damages caused by defendants actions
- (3) Award Petitioner/Plaintiffs reasonable costs and attorneys' fees;
- (4) Award exemplary relief in the amount of 900,000 for damages caused by defendant actions
- (6) Grant any other and further relief that this Court may deem fit and proper.
- (7) And further demand that the condition at the jail at A-1 station be made fit for extended stay. And repositioning of the cameras in the cells and station to capture all encounters while not invading privacy of inmates.

DATED: March 20, 2018

Respectfully submitted,

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Taboh Mopecha